



Federal

1. Possible Extension of PIP (3:1) Compliance Date

Phenol isopropylated phosphate (PIP (3:1)) is a flame retardant used in a variety of applications including electronics and electrical equipment, plastics and resins, heating and cooling equipment, appliances, motors and generators, wire manufacturing, motor vehicles and parts, and transportation equipment. If you use any these products, you may be affected by a recent EPA rule change that will restrict the sale of products and articles containing PIP (3:1).

Talk to your suppliers about whether your equipment has parts that currently contain PIP (3:1) and whether replacement parts will be available that do not. The restrictions are currently scheduled for March 2022, but EPA is considering extending the compliance date to October 2024. Comments on the proposed extension are being accepted until **December 27, 2021**.

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/persistent-bioaccumulative-and-toxic-pbt-chemicals>

2. Proposed TRI Reporting Chemicals

EPA is proposing to add 12 new chemicals to the list of chemicals subject to reporting under the Toxics Release Inventory (TRI) program. If you manufacture, process, or otherwise use a chemical listed below, you may be required to report it under TRI starting with reporting year 2023.

- Dibutyltin dichloride (CAS # 683-18-1)
- 1,3-Dichloro-2-propanol (CAS # 96-23-1)
- Formamide (CAS # 75-12-7)
- 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[g]-2-benzopyran (CAS # 1222-05-5) – proposed PBT
- N-Hydroxyethylethylenediamine (CAS # 111-41-1)
- Nitrioltriacetic acid trisodium salt (CAS # 5064-31-3)
- p-(1,1,3,3-Tetramethylbutyl)phenol (CAS # 140-66-9)
- 1,2,3-Trichlorobenzene (CAS # 87-61-6)
- Triglycidyl isocyanurate (CAS # 2451-62-9)
- Tris(2-chloroethyl) phosphate (CAS # 115-96-8)
- Tris(1,3-dichloro-2-propyl) phosphate (CAS # 13674-87-8)
- Tris(dimethylphenol) phosphate (CAS # 25155-23-1)

Comments on the proposed extension are being accepted until **December 17, 2021**.

<https://www.federalregister.gov/d/2021-22112>

TUR Planning Reminder!

If your facility is subject to Toxics Use Reduction Planning, don't forget to post a TUR planning notice for employees by **December 31**.

3. Upcoming Regulatory Actions Under TSCA

EPA has now published final risk evaluations for ten priority chemicals under the Toxic Substances Control Act (TSCA), and has found unreasonable risks associated with each of them. If you use a chemical listed below, be on the lookout for EPA's proposed rules for managing risk that may affect your operations.

- Asbestos (CAS # 1332-21-4)
- 1-Bromopropane (n-propyl bromide, CAS # 106-94-5)
- Carbon tetrachloride (CAS # 56-23-5)
- C.I. Pigment Violet 29 (CAS # 81-33-4)
- Cyclic Aliphatic Bromide Cluster (HBCD)
- 1,4-Dioxane (CAS # 123-91-1)
- Methylene chloride (dichloromethane, CAS # 75-09-2)
- N-methylpyrrolidone (CAS # 872-50-4)
- Perchloroethylene (CAS # 127-18-4)
- Trichloroethylene (CAS # 79-01-6)

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/chemicals-undergoing-risk-evaluation-under-tsca>

Massachusetts

4. Upcoming Cumulative Impact Analysis Requirement for Air Permit Applications

If you are planning to apply for a new or renewed air permit in Massachusetts in the future, you may be affected by an upcoming regulatory change that will require a Cumulative Impact Analysis for air permit applications near an environmental justice population. MassDEP is currently having a series of stakeholder meetings and accepting comments on what classes of air permits would be affected and what the impact analysis would need to contain.

<https://www.mass.gov/info-details/cumulative-impact-analysis-in-air-quality-permitting>

5. Underground Storage Tank Regulatory Changes

If you operate an Underground Storage Tank (UST) in Massachusetts, MassDEP's recent amendments to its UST regulations may apply to you. The regulatory provisions that were amended include:

- Installation requirements
- Requirements for USTs used to supply fuel to emergency generators
- Testing requirements for leak detection, sumps, spill buckets, and overfill protection
- Periodic inspection of UST components
- Third-party inspector eligibility criteria

<https://www.mass.gov/regulations/310-CMR-8000-underground-storage-tank-ust-systems>



Regulatory Actions for PFAS

EPA and MassDEP have announced several upcoming regulatory changes that may affect your facility if you use per- and poly-fluoroalkyl substances (PFAS).

- MassDEP has proposed to add a PFAS not otherwise listed (NOL) category to the list of chemicals subject to reporting under the Toxics Use Reduction Act.
- EPA's preliminary effluent guidelines program includes plans to regulate wastewater discharges of PFAS from organic chemicals, plastics, and synthetic fibers manufacturing operations and from chromium electroplating operations.
- EPA has announced a planned rulemaking to add four PFAS to the list of underlying hazardous constituents under RCRA, which could allow PFAS to be listed as hazardous waste in the future.

**FOR ASSISTANCE WITH THESE REGULATIONS AND
PROGRAMS CALL US AT 508-653-8007.**

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